

1 **COMPLAINT BY A PRISONER UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983**2 Name: McGree JR. Walter L

3 (Last)

(First)

(Middle Initial)

4 Prisoner Number: BB14295 Institutional Address: 1 Main Street San Quentin CA.
949746 **FILED**

7 Aug 19 2020

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SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

Walter Lee McGree JR.

(Enter your full name.)

vs.
California Department of
Corrections and Rehabilitation

(Enter the full name(s) of the defendant(s) in this action.)

Case No. 4:20-cv-5844 DMR
(Provided by the clerk upon filing)**COMPLAINT UNDER THE
CIVIL RIGHTS ACT,
42 U.S.C. § 1983****I. Exhaustion of Administrative Remedies.****Note:** You must exhaust available administrative remedies before your claim can go forward. The court will dismiss any unexhausted claims.

A. Place of present confinement San Quentin State prison

B. Is there a grievance procedure in this institution? YES NO

C. If so, did you present the facts in your complaint for review through the grievance procedure? YES NO

D. If your answer is YES, list the appeal number and the date and result of the appeal at each level of review. If you did not pursue any available level of appeal, explain why.

1. Informal appeal: I was refused the proper paper
work to file the appeal

1 2. First formal level: _____
2 _____
3 _____

4 3. Second formal level: _____
5 _____
6 _____

7 4. Third formal level: _____
8 _____
9 _____

10 E. Is the last level to which you appealed the highest level of appeal available to you?

11 YES NO

12 F. If you did not present your claim for review through the grievance procedure, explain why.

13 I Was refused the paper work needed to file Said
14 Appeal More than once

15 **II. Parties.**

16 A. Write your name and present address. Do the same for additional plaintiffs, if any.

17 Walter Lee McGee JR. San Quentin State Prison

18 _____

19 B. For each defendant, provide full name, official position and place of employment.

20 California Department of Corrections and
21 Rehabilitation

22 _____

23 _____

24 _____

1 **III. Statement of Claim.**

2 State briefly the facts of your case. Be sure to describe how each defendant is involved
3 and to include dates, when possible. Do not give any legal arguments or cite any cases or
4 statutes. If you have more than one claim, each claim should be set forth in a separate
5 numbered paragraph.

6 CDCR transferred 100+ inmates from Chino
7 mens prison to San Quentin mens prison who
8 were covid-19 positive which started an outbreak
9 here at San Quentin. on 6/25/2020 I was
10 tested and confirmed positive for covid-19
11 Due to CDCR's incompetence and and inability
12 to protect the inmate population here at S.Q.S.P.

16 **IV. Relief.**

17 Your complaint must include a request for specific relief. State briefly exactly what you
18 want the court to do for you. Do not make legal arguments and do not cite any cases or
19 statutes.

20 I am requesting an order for immediate release
21 under the California Emergency Act, Government Code
22 Section 8550 ET seq... and 18 USC Section 3582(4)(1)
23 of the CARES ACT from recently contracting COVID-19
24 while at San Quentin State Prison

24 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

25 Executed on: 8/4/2020
Date

Walter M
Signature of Plaintiff